## WAKF ADMINISTRATION

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**Nature of Wakfs.** Much valuable property in Bahrain is wakf property, dedicated in the past for public and religious purposes, such as the upkeep of mosques, the payment of muezzins and priests, and in the case of the Shias, towards religious observances during the month of Muharram and the expenses of the matems, which can be described as village halls supported by religious endowments. In addition to the charitable wakfs, which are intended to benefit the general public, there are private wakfs which are frequently in the nature of entails of property to the heirs of a certain person and, among the Shias, property and money is often left in trust to pay for prayers to be said over a long period of time on behalf of a deceased person. Another common form of religious endowment is the dedication by will of one-third of the estate for charity or for certain specific charities, but this note only refers to wakfs of a public nature.

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**Shaikh Khalaf.** Until the year 1346 (July 1927—June 1928) all wakf property in Bahrain, both Sunni and Shia, was administered by the Qadis and by anybody who was sufficiently powerful to retain the administration of the property in his hands. It is not an exaggeration to state that most of the proceeds of the property found its way into the pockets of the administrators and was not distributed to the poor for whose benefit it was intended. In 1345 (1926-27), Shaikh Khalaf, who was then the Shia Qadi, was compelled to resign owing to agitation among the Baharna which was caused by his habit of taking bribes. Twice before during his long tenure of office he had been compelled to retire owing to irregular practices, but in spite of this he retained a great influence over many of the country villages. Shaikh Khalaf had been one of the leading personalities in Bahrain for many years, and it was partly owing to his support that the diving reforms were carried out in 1923. No Qadi since Shaikh Khalaf has had such influence over the Shia community as a whole.

**Syed Adnan's Administration.** His successor was Syed Adnan, a young man who had been educated in Iraq and who had a well-deserved reputation for piety, learning, and honesty. In addition to this, he was more progressive in his ideas than any of the previous Qadis. On his appointment he made an effort to register the wakf property and to start a regular system of administration. With the support of the Government he compelled many of the people who held wakf property to lease it through him and to submit to him an account of revenue and expenditure. He died very suddenly about a year after his appointment, but during the time that he was Shia Qadi he accomplished much valuable work, and his books containing the descriptions and registrations of wakf properties were of great use to the wakf department when it was formed.

**Appointment of a Council.** After the death of Syed Adnan, the wakf property was administered for some time by Shaikh Mohomed Ali Medani, the executor of the late Qadi, but this arrangement was distasteful to most of the Shia community who, quite rightly, placed no confidence in Shaikh Mohomed Ali Medani, who was afterwards convicted of misappropriating funds belonging to some minors and orphans. Two Qadis, Shaikh Ali bin Hassan of Senabis and Shaikh Abdulla bin Mohomed Saleh of Manamah, were then appointed. The former, when he was appointed, stipulated that he should have nothing to do with the administration of the wakf property; the latter very soon demanded that the wakf property should be handed over to him. He was persuaded to appoint a committee of leading Shia notables to assist him in the administration of the property. After a short time the country people, who form the majority of the Shia community and who have the greatest interest in the wakfs, objected to this arrangement and made a petition on the subject to the Ruler, who had hitherto taken no interest in the question of the Shia wakf administration. The public asked that the administration of the property should be entirely in the hands of the people and not under the control of the Qadi of Manamah. A council was appointed, consisting of six men from the country and four from Manamah, and the wakf property was handed over to their charge. A local merchant was appointed as treasurer, but no president was chosen in order to placate the feelings of Shaikh Abdulla and Shaikh Mohomed Ali Medani, both of whom were comparatively satisfied as long as the other was not in control.

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**Previous attempts to organise Wakf Department.** About four years before an attempt had been made by the Government to alienate the wakf property from the Qadis. Both Sunnis and Shias combined in such furious opposition to the proposal that it was soon dropped. The same result was obtained, with no disturbances, when it appeared that the idea had come from the public themselves. The expenses of the department, pay of the treasurer and the clerk, and accommodation were provided by the Government, as it was desirable and in the interests of a large portion of the community that wakf property should be properly dealt with.

**Progress of Administration and Elections.** By 1930 the wakf department had become an established institution, entirely unconnected with the Shia Qadis, who were only referred to by the council in question concerning shara law. The department opened an account at the bank, regular accounts were kept, wakf lands were leased by the department, and no payments were made except with the approval of the council. Each member was responsible for supervising and reporting on the wakf property in his district, and for this purpose Bahrain was roughly divided into sections, each section being represented by a member of the council. The Government issued a proclamation, ordering all persons to register wakf property within a certain time, failing which the administrator would be liable for prosecution. In response to this order, much wakf property was discovered which was previously unknown. In 1353 (1934-35) the revenue collected by the department was about Rs 24,000 -.

In 1349 (1930-31), the third year of its existence, the revenue of the department decreased considerably owing to the general depression, particularly because its income was mainly derived from date gardens, and many of the tenants were unable to pay their rents in full. In spite of two or three bad years which followed, the department was able during this time to purchase more gardens and to improve the existing property by planting many thousands of new trees, repairing irrigation streams, and in some cases sinking artesian wells in order to cultivate new ground. At various times the department suffered somewhat owing to the intrigues of the religious leaders, who stirred up the tenants against the council, but the members were sufficiently influential and independent to withstand these difficulties.

A new election was held in 1350 (1931-32), and this time voting was by ballot and took place in a village in the centre of every district. Although this was a novel procedure, the people adopted it with enthusiasm, and in some villages there were keen contests to return certain members. The department began to register wakf property in the Land Department and became involved in much litigation with various Sunni landowners who claimed wakf property as part of their own gardens. In some cases, members of the Ruling Family objected to the registration of wakf property, claiming that it was included in gift documents held by them for whole districts. Cases regarding the Shia wakfs, which were referred occasionally to the Sunni shara courts, were not always dealt with impartially. The Sunni Qadis, who still retain control of the Sunni wakfs, resented the Shia wakf department and council, fearing that public opinion would compel them to hand over control of their wakfs to a similar committee. Many of the Ruling Family were also unsympathetic to the wakf department, thinking that the Shias might be encouraged to claim gardens which were originally wakf property but had been confiscated by the Khalifah many years ago.

In 1351 (1932-33) the accounts of the wakf department were audited by a chartered accountant, but as there were more than 1,800 separate accounts, one for each different endowment, it was impossible to check every account, but various suggestions were made to simplify the method of book-keeping. During this year there was some agitation against the department, organised by one of the Qadis, and numerous petitions of doubtful authenticity were made to the Government, asking that the council should be dismissed and that the Government should take over complete control of the wakf administration. This was not done. The department continued its work during the year, improving the gardens, repairing mosques and matems, and occasionally purchasing small gardens, but the accumulation of debts owing to the department increased, and a very large sum was outstanding at the end of the year.

During 1352 (1933-34) the work of the department was carried out without any disturbances and the revenue improved slightly. In 1353 (1934-35) there was some adverse criticism of the

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department by the public, who complained, with justification, that wakf property dedicated to the Shia Qadi received more attention than other property.

In 1935 there was renewed opposition to certain members of the council, including Syed Ahmad bin Syed Alawi, the treasurer, which owed its origin to a bitter quarrel between two factions of the Shia community in Manamah, which came to a head when Shaikh Abdullah bin Mohomed Saleh was tried and convicted by a special court for misappropriating money which he was administering on behalf of an orphan. The members of the council took opposite sides, and the routine of the department was disturbed. It was therefore thought advisable to hold a new election. This was done early in 1936. The council was increased from 10 to 15 members and the offices of the department were moved from two rooms in the Manamah school, which they had previously occupied, to rooms in the Bahrain court-house. The new council includes several of the leading Shias, who are more businesslike and capable than their predecessors. One of their first decisions was to appoint a sub-committee for dealing with accounts and another committee for inspecting gardens and property on the lines of the municipal council's methods. After the last election the two Qadis again requested the Government to take over the administration of the wakfs, but this request was again refused.

**Results.** The formation of the Shia Wakf Department has been comparatively successful. It is the first time that the Baharna have had an opportunity of working together and managing their own affairs and, in spite of frequent intrigues and attacks from outside, the department has done much valuable work which is of benefit to the whole Shia community. The results have been more successful than I anticipated, and it is evident that this is appreciated by the general public, not only the Shias, for at the time of writing there is a movement afoot among the Sunni ulemas and some of the Sunni notables for setting up a similar council to administer the Sunni wakf property.

The work of the Shia Wakf Department is not an easy task, as the wakf property is made up of nearly two thousand isolated pieces of gardens, fish-traps, houses and shops, and in many cases only a proportion of the property is wakf and the remainder is owned by individuals. The normal income from the wakf property should be about Rs 40,000/- per annum, but during recent years it has been difficult to collect the rents, and at the beginning of 1936 the balance outstanding against the tenants amounted to about Rs 15,000/-.

**Future Development.** A possible development in the future would be the education at Government expense of two or three young men who could be sent to Iraq or elsewhere to study the work and methods of the wakf ministry. The members of the council, although most of them are illiterate, are fully capable of dealing with the practical work, such as supervising the cultivation and the upkeep of the gardens and buildings, but they lack the administrative experience and enterprise which is necessary for the management of a public department.

REVENUE AND EXPENDITURE OF THE DEPARTMENT

| *Year.* | *Revenue.* Rs | *Expenditure.* Rs |
|---|---|---|
| 1349 (1930-31) ... | 18,700/- ... | 17,900/- |
| 1350 (1931-32) ... | 17,700/- ... | 18,300/- |
| 1351 (1932-33) ... | 21,000/- ... | 20,200/- |
| 1352 (1933-34) ... | 24,100/- ... | 22,400/- |
| 1353 (1934-35) ... | 28,600/- ... | 24,100/- |
| 1354 (1935-36) ... | 18,300/- ... | 18,000/- |
| 1355 (1936-37) ... | 18,100/- ... | 18,700/- |

**Sunni Wakf Administration.** The administration of the Sunni wakfs is in the hands of the three Sunni Qadis and, although the Government contributes to the expenses of the clerks who do the work, it has no knowledge of the methods or results of the administration.